

METROPOLITAN DEVELOPMENT COMMITTEE

DATE: February 14, 2005

CALLED TO ORDER: 5:33 p.m.

ADJOURNED: 6:25 p.m.

ATTENDANCE

Attending Members

Dane Mahern, Chairman
Ron Gibson
Scott Keller
Becky Langsford
Angela Mansfield
Jackie Nytes
Marilyn Pfisterer
Mike Speedy
Steve Talley

Absent Members

AGENDA

PROPOSAL NO. 59, 2005 - reappoints Frank Hagaman to the Metropolitan Board of Zoning Appeals, Division III
"Do Pass" Vote: 9-0

PROPOSAL NO. 60, 2005 -reappoints K. Diane Guthrie to the Metropolitan Board of Zoning Appeals, Division III
"Do Pass" Vote: 9-0

PROPOSAL NO. 66, 2005 – an inducement resolution for LDG Fox Run, LLC in an amount not to exceed \$12,000,000, which consists of the acquisition and rehabilitation of the existing 256-unit multifamily housing rental project currently known as Fox Run Apartments (to be renamed Cambridge Fox Run Apartments) located at 523 Tomahawk Trail (District 13)
"Do Pass" Vote: 8-1

PROPOSAL NO. 46, 2005 - clarifies the powers and responsibilities of various building and construction boards, as well as the duties of certain types of contractors
"Do Pass" Vote: 9-0

PROPOSAL NO. 47, 2005 - transfers territory from the Consolidated City of Indianapolis to the City of Beech Grove
"Postponed until next meeting" Vote: 9-0

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PROPOSAL NO. 48, 2005 - allows permit applications by facsimile machine to allow the division of compliance to withhold issuance of building permits under certain circumstances and makes other technical changes to the Buildings and Construction chapter of the Code to reflect advances and feedback from the industry
“Do Pass”

Vote: 9-0

METROPOLITAN DEVELOPMENT COMMITTEE

The Metropolitan Development Committee of the City-County Council met on Monday, February 14, 2005. Chairman Dane Mahern called the meeting to order at 5:33 p.m. with the following members present: Ron Gibson, Scott Keller, Angela Mansfield, Jackie Nytes, Marilyn Pfisterer, Mike Speedy, and Steve Talley.

PROPOSAL NO. 59, 2005 - reappoints Frank Hagaman to the Metropolitan Board of Zoning Appeals, Division III

Mr. Hagaman said he has been on the board of one year and that he is looking forward to serving on the board another year.

Councillor Speedy asked if Mr. Hagaman feels the board receives excessive volume of appeals coming before the board. Mr. Hagaman responded in the negative and said his experience on the board has been an enjoyable learning experience.

Councillor Nytes asked Mr. Hagaman to please give background history of himself. Mr. Hagaman said he came to Indianapolis four years ago and founded Partners in Housing Development, a non-profit affordable housing corporation. Mr. Hagaman said the corporation signature project is the Blue Triangle, 725 N. Pennsylvania.

Councillor Nytes moved, seconded by Councillor Gibson, to send Proposal No. 59, 2005 to the full Council with a "Do Pass" recommendation, subject to his successful completion of the background check. The motion carried by a vote of 9-0.

PROPOSAL NO. 60, 2005 -reappoints K. Diane Guthrie to the Metropolitan Board of Zoning Appeals, Division III

Chairman Mahern asked for consent to move Proposal No. 60 2005 to the end of the agenda. Consent was given.

PROPOSAL NO. 66, 2005 – an inducement resolution for LDG Fox Run, LLC in an amount not to exceed \$12,000,000, which consists of the acquisition and rehabilitation of the existing 256-unit multifamily housing rental project currently known as Fox Run Apartments (to be renamed Cambridge Fox Run Apartments) located at 523 Tomahawk Trail (District 13)

Rod Morgan, bond counsel for the Economic Development Commission, said the proposed project is similar to a project that was completed last year called Cambridge Tomahawk Village (now known as Cambridge Station). He said the two properties are adjacent to each other. Mr. Morgan said the inducement resolution was heard at the Economic Development Commission and passed unanimously. He said the developer realizes that if the bonds are issued they are not an obligation of the City. He added that there will be no tax revenue utilized to repay these bonds. Mr. Morgan explained the various fees outlined in Exhibit A (attached) and said total cost per unit will be \$54,087. He added that he attached a summary sheet for Cambridge Station to provide the opportunity for comparison between the two projects. Mr. Morgan said there have been meetings between the developer and the neighborhood association. The neighborhood association is in support of the project. He also indicated that Councillor Salisbury was in support of the Cambridge Station project and has not given any indication that he is not in support of the Cambridge Fox Run proposed project.

Councillor Keller asked how much the bond and market interest rate is on this project. John Anderson, bond counsel for Krieg Devault, said rates have been increasing slightly and the bond rate should be about 4%. Councillor Keller asked how many years will the 4% bond rate will apply. Mr. Anderson said bond maturity will be 30 - 35 years. Councillor Keller said he intends to vote against the proposal, because there are too many dollars of subsidy and not enough coming back to the City.

Councillor Pfisterer asked if there will be an increased number of low income housing and if the rent will change. Mr. Morgan said the rent will remain about the same. He said there are about 14 units in the entire project that are in deteriorating conditions. Mr. Anderson said that there are no income restrictions on the citizens that already live in Cambridge Fox Run, but following the completion of the project, there will be a number of units set aside for below 50% area medium income.

Councillor Speedy asked what the percentage of completion was for Cambridge Station. Mr. Anderson said the closing for Cambridge Station was in September 2004 and will be completed in September or October of 2005. Councillor Speedy asked when rehabilitation will begin on Cambridge Fox Run. Mr. Anderson responded it would be one year later.

Councillor Mansfield asked if this project is geared towards families. Chris Dishator, representing the developer of the project, said there are three bedroom units at 60%, and in phase one there are three bedroom units at 50%.

Councillor Nytes asked for additional information on the appeal on the current property tax assessments. Mr. Dishator said he does not have a lot of information on the appeal. He added that the appeal has more to do with the previous owner than the current owner. Mr. Anderson said the appeals resulted from the general tax reassessment, and he believes some things were not taken into account with respect to affordable housing. Councillor Nytes asked what the assessed value is that is gained by making this investment. Mr. Anderson said he is not sure of the assessed value that would be gained. He added that the type of improvements that are usually made on such a project do not have a significant impact on the assessed value.

Councillor Talley moved, seconded by Councillor Nytes, to send Proposal No. 66, 2005 to the full Council with a "Do Pass" recommendation. This motion carried by a vote of 8-1, with Councillor Keller casting the negative vote.

PROPOSAL NO. 46, 2005 - clarifies the powers and responsibilities of various building and construction boards, as well as the duties of certain types of contractors

Rick Powers, Administrator of Division of Compliance, said their goal in every budget year is to come to zero and pay for the services they provide. He highlighted some of the revisions to section 875 of the revised code (Exhibit B, attached). The revisions are in reference to licensing, trade boards, how contractors do business in Marion County, and how contractors are overseen by the boards. Mr. Powers said some of the changes are in house such as changing the name "Division of Permits" to the "Division of Compliance".

Councillor Pfisterer asked if the current section 875-414 will remain the same. Mr. Powers replied in the affirmative and said the revision is not necessary at this point. Councillor Pfisterer asked what happens between the time when the Class B wrecking license is deleted and the new exam that will be put in place. Mr. Powers said the current exam will be used and questions that are no longer applicable to Marion County will not be included in the score.

Councillor Speedy asked what kind of problems the Division of Compliance has been receiving. Mr. Powers said the national test was generally the main complaint from the community. He said these changes provide a streamline for various industries to control their own groups within the trade boards. Councillor Speedy asked if the changes in the written examination are raising standards or raising awareness of the practice. Mr. Powers said the Division of Compliance wants to do both.

Chairman Mahern asked when the suggested changes to Chapter 875 will come into effect. Mr. Powers said they would like them to be effective immediately. Chairman Mahern asked how they plan on handling separate general contractor listings for each assumed business name. Mr. Powers said all contractors will enlist with the Division of Compliance.

PROPOSAL NO. 48, 2005 - allows permit applications by facsimile machine to allow the division of compliance to withhold issuance of building permits under certain circumstances and makes other technical changes to the Buildings and Construction chapter of the Code to reflect advances and feedback from the industry

Mr. Powers said both chapters 536 and 875 are referred to as “Building Standards and Procedures” and combined make up the conduct for contractors. He summarized the suggested revisions to section 536 of the revised code (Exhibit B, attached).

Councillor Pfisterer asked if the trade board members feel the administrative fees are fair. Mr. Powers replied in the affirmative and said the revised administrative fee was their idea. Councillor Pfisterer asked if they want to activate the enforcement clause. Mr. Powers replied in the affirmative and said they can oppose a fee up front for failure to comply and then do a follow up. Councillor Pfisterer asked if a contractor will receive a refund if the contractor complies. Mr. Powers replied in the negative and said it is a cost that is in result of their behavior. Councillor Pfisterer asked if Hispanic literature on compliance and zoning issues is available. Mr. Powers replied in the affirmative.

Councillor Gibson, moved seconded by Councillor Pfisterer, to send Proposal No. 46, 2005 and Proposal No. 48, 2005 to the full Council with a “Do Pass” recommendation. This motion carried by a vote of 9-0.

PROPOSAL NO. 47, 2005 - transfers territory from the Consolidated City of Indianapolis to the City of Beech Grove

Chairman Mahern asked for Proposal No. 47, 2005 to be postponed due to further research on the issue.

Councillor Talley moved, seconded by Councillor Speedy, to “postpone” Proposal No. 47, 2005 to the next committee meeting. This motion carried by a vote of 9-0.

Chairman Mahern added that he has talked to Councillor Day about postponing Proposal No. 47, 2005, and she had no objection.

PROPOSAL NO. 60, 2005 -reappoints K. Diane Guthrie to the Metropolitan Board of Zoning Appeals, Division III

Ms. Guthrie said she has served on the board for one year and is looking forward to severing another year.

Councillor Gibson asked if she feels the result process on the board is effective. Ms. Guthrie replied in the affirmative.

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Councillor Talley moved, seconded by Councillor Pfisterer, to send Proposal No. 60, 2005 to the full Council with a “Do Pass” recommendation, subject to her successful completion of the background check. The motion carried by a vote of 9-0.

CONCLUSION

With no further business pending, and upon motion duly made, the Metropolitan Development Committee of the City-County Council was adjourned at 6:25 p.m.

Respectfully submitted,

Dane Mahren, Chairman
Metropolitan Development Committee

DM/as

